

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MEDINA MAXWELL,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION FILE NO.
)	1:14-cv-04041-ELR
THE KROGER CO.,)	
)	
Defendant.)	

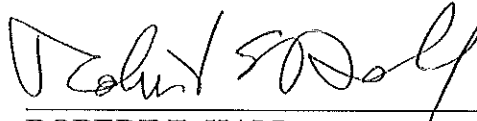
**GEORGIA DEPARTMENT OF HUMAN SERVICES' MOTION
TO QUASH SUBPOENA**

COMES NOW the Georgia Department of Human Services (hereinafter "DHS"), a non-party to this proceeding, and pursuant to F.R.C.P. 45(d)(3)(A)(iii), moves to quash a subpoena for the production of evidence served upon it requiring DHS to produce its file concerning the Plaintiff.

As grounds for this motion, DHS shows that production of the records sought by the aforesaid subpoena is in violation of both Federal and State law because the requested records are confidential and not subject to being produced by DHS pursuant to the procedure employed by the Defendant, The Kroger Co. In support of this motion, Movant relies upon its Brief in Support hereof.

WHEREFORE, Movant prays that this motion be granted and that the subpoena served upon it dated April 12, 2016, be quashed and that Movant have such other and further relief as is just and proper.

This 20th day of April, 2016.

A handwritten signature in black ink, appearing to read "Robert E. Hall", written over a horizontal line.

ROBERT E. HALL

Special Assistant Attorney General
Georgia Bar No. 319275

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**BRIEF IN SUPPORT OF GEORGIA DEPARTMENT OF
HUMAN SERVICES' MOTION TO QUASH SUBPOENA**

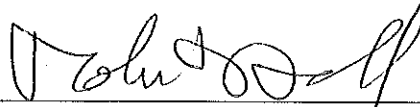
By a subpoena dated April 12, 2016, Defendant, The Kroger Co., requested that the Georgia Department of Human Services (hereafter "DHS"), produce its file on the Plaintiff, Medina Maxwell. DHS has filed contemporaneously herewith a Motion to Quash said subpoena.

As grounds for its motion, DHS shows that the production of the records sought by the subpoena is in violation of both state and federal law, which declares such records to be confidential. See O.C.G.A. §49-4-14(a), O.C.G.A. §49-4-150; 42 USC §602(a)(1); 42 CFR 205.50; 7 USC §2020(e)(8) and 7 CFR §272.1(c).

However, DHS, having apprised the Court of the confidentiality statutes and regulations governing the public assistance program in question, will turn over such records upon a Court order directing DHS to release such information. Additionally, if so directed, DHS will submit these records under seal for this Court's consideration for an in camera inspection. Based upon the foregoing, DHS moves that the subpoena be quashed.

This 20th day of April, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert E. Hall", written over a horizontal line.

ROBERT E. HALL

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CERTIFICATE OF SERVICE

This is to certify that I have this date served the within and foregoing Motion to Quash Subpoena and Brief upon the parties to this matter by e-filing a copy with the Clerk of Court, and by depositing a true and correct copy of same in the United States mail addressed as follows:

Matthew G. Moffett, Esq.
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This 20th day of April, 2016.



ROBERT E. HALL
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